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C O N F I D E N T I A L SECTION 01 OF 03 KHARTOUM 001131

SIPDIS

DEPARTMENT FOR A/S FRAZER, S/E WILLIAMSON, AND AF/SPG
NSC FOR PITTMAN AND HUDSON
ADDIS ABABA FOR USAU

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SUBJECT: NCP STRATEGIST ON THE REGIME'S PLANS FOR DARFUR

REF: KHARTOUM 1117

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Classified By: CDA Alberto M. Fernandez, Reason 1.4 (b)

11. (C) Summary: CDA and DCM met on July 27 with Dr. Sayed el Khatib, director of Khartoum's Center for Strategic Studies, the National Congress Party's (NCP) think-tank. Khatib, who played a key role in the NCP's negotiation of the 2005 Comprehensive Peace Agreement (CPA) with the Sudan People's Liberation Movement (SPLM), underscored what he viewed as the negative impact on peace and reconciliation in Darfur of Luis Moreno Ocampo's July 14 request to the ICC for an arrest warrant against President Bashir. He noted the regime's initiatives, announced by Bashir during his July 23-24 visit to Darfur, to open a dialogue with all parties to the conflict, including not only rebels but also Darfur's internally displaced people (IDPs), NGO representatives and other members of the international community. Al-Khatib admitted that President Al-Bashir should have "expressed regret about Darfur long ago" but had been deceived by past advisors. Khatib also addressed the issue of forming an interim administration in Abyei, noting that both the NCP and SPLM needed to show greater flexibility in reaching a compromise on its composition so that provisions of the CPA could move forward. End Summary.

2.(C) The CDA began the meeting by noting that many in the West had believed that there would be an immediate violent reaction from Sudan's government following Luis Moreno Ocampo's July 14 action against President Bashir, but fortunately, that had not occurred. Khatib replied it had been difficult for the regime to react with anything other than indignation over what it regarded as Moreno Ocampo's unjust request to the ICC for an arrest warrant. In Khatib's view, the ICC had complicated the situation in Darfur, making resolution of the conflict there far more difficult and elusive. In the first instance, he thought the request to the ICC would now embolden the Darfur rebels to take a wait and see attitude toward negotiation with the government.

13. (C) Khatib noted that President Bashir had taken what were important initiatives on Darfur. He emphasized that the regime had discussed these initiatives for months prior to Bashir's July 13 announcement. What was most important was the government's intention to open the door to dialogue on Darfur to all parties involved in and/or affected by the conflict. In addition to all of the rebel factions (including the Justice and Equality Movement, which attacked the capital on May 10) this included internally displaced people (IDPs), political parties, humanitarian organizations and NGOs working in the region plus other representatives of

the international community. CDA asked if this was not a change in NCP policy, given that the regime in the past had insisted only parties to the conflict itself "the rebels and government forces" should talk. The regime seemed now to be expanding this to include IDPs and others. Khatib said that in the past the government had spoken of formal negotiations in which such limited participation was warranted. This is what had worked with the 2005 Comprehensive Peace Agreement. What was new in the present approach was the regime's intent to seek a wider dialogue. For this reason, representatives from the international community would be invited to join in discussions. In the latter regard, their support for Darfur's economic development was crucial. The CDA agreed that although humanitarian assistance in Darfur was crucial, there needed to be a transition to development assistance to help in the region's long term reconstruction.

14. (C) Khatib said that the government realized that the success of such a dialogue was dependent on the willingness by rebels, IDPs, and members of civil society to participate.

For that reason, the government had asked the SPLM's Salva Kiir to head the GNU's efforts. Khatib noted that it would be far more likely for these groups to participate if the discussions were held in Juba rather than Khartoum. CDA noted that this too seemed like a policy change for the regime. In the past such an SPLM role on Darfur would have been greeted with deep suspicion by many in the regime. Khatib said that this was certainly true and that there were those in the NCP who still felt this way. Nevertheless, it was the President himself who had decided the SPLM should take this role. In his view, if the conflict in Darfur could be resolved and an agreement reached on power sharing there, it would solve a huge problem facing the GNU. The CDA agreed, but again stressed that immediate action was needed if these goals were to be achieved.

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15. (C) Khatib admitted that President Bashir had never thought about the "optics" of Darfur in showing concern sooner for victims of the conflict. He should have done this back in 2005 with the signing of the CPA, but there those in the NCP who opposed such a course. He admitted that the President had been "deceived" by past advisors on Darfur, "they told him everything was under control and that it was purely a military struggle." Clearly, this was a missed opportunity. The CDA agreed, and added that while Bashir had said many positive things during his recent visit to Darfur, including stating he did not want to see any more houses burnt down to an audience that included Janjaweed, Bashir had to move beyond words to actions. He had little time to turn these words into deeds. The international image of Darfur was of a government that continued to massacre defenseless people. Only concrete actions by the NCP could change this image. Khatib spoke at length about the history of Darfur, noting that the root causes of conflict had often been economic dating back to the 1980's drought. It was not, as the international community seemed to think, a matter of Arab nomads attacking settled communities. There was the need for indigenous courts to resolve land differences. The Fur were not even a majority in Darfur and there were many other tribes with interests to address.

16. (C) Khatib replied that in this regard it was important to reestablish contact with Special Envoy Williamson. The latter's walk out of talks with the GNU had raised questions on how far the U.S. was willing to go to improve U.S.-Sudanese relations. With regard to the ICC, Khatib noted that even those who supported Ocampo and the ICC did not want actions by the latter to complicate achieving peace and reconciliation. He added that even the late SPLM leader John Garang said in an address at the UN that while impunity could never be accepted, the first priority was to bring peace to Darfur.

17. (C) With regard to Abyei, CDA noted that while it was good

that the Sudanese People's Liberation Army (SPLA) and the Sudanese Armed Forces had now withdrawn almost all of their forces, the issue of forming an interim administration had not been resolved. Khatib said that he hoped to have help from the U.S. on this issue. In his view, the SPLM's insistence that the deputy administrator could not be from the Miseriya tribe was counterproductive. Khatib observed that both the NCP and SPLM needed to show greater flexibility in reaching a compromise on its composition so that provisions of the CPA could move forward. The CDA said that he understood both sides on this issue. For the SPLM, acceding to having a Miseriya as a "local" representative in the interim administration opened up larger issues of their representation in other bodies. CDA suggested that this issue could be addressed through a broader discussion of border issues in the North. For example, during President Bashir's visit to El Geneina in Darfur, the Fur Dimangawi had called for creation of a Central Darfur state to resolve land disputes. Perhaps creation of a West Kordofan state for the Miseriya would address some of their land issues. Khatib agreed but noted that drought had forced some from Darfur tribes like the Zaydiyya, Rizeigat and even Zaghawa to move onto Miseriya land in Kordofan which in turn caused the Miseriya to encroach on Dinka land.

18. (C) Comment: Khatib's assertion that the regime wants assistance from the international community in resolving the Darfur crisis fits in with the current GNU charm offensive engineered to head off the ICC indictment. We are not as sanguine that the regime will continue to be as open to suggestions and international participation if the ICC issues warrants against the President. It is sad that it took the ICC indictment to deliver the message, but the government does seem to understand now more than ever that it must address the Darfur crisis if it ever hopes to make headway in its relations with the west. Moreover, it is not a foregone conclusion that the regime will react badly if warrants are issued against Bashir. Certainly this interim period of maximum flexibility will be gone, but the regime will still need to address its security and image problems in Darfur, and the stubborn Bashir may be proud to demonstrate that he can be a statesman and peacemaker in spite of the condemnation of the west. Alternatively, the regime may become increasingly hostile and difficult to deal with as it negotiates and implements agreements on its own terms, listening less to voices in the west including the US. There are certainly plenty of advisors ready to pander to the

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Sudanese President's worst fears and suspicions. End comment.
FERNANDEZ